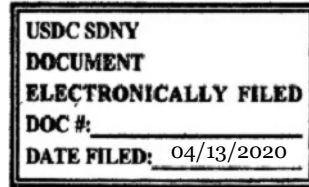




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# MEMO ENDORSED

April 10, 2020

**VIA ECF**

Hon. Barbara Moses  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 740  
New York, NY 10007

Application GRANTED. The parties are directed to file a joint letter updating the Court on the status of this dispute no later than **April 24, 2020**. The plaintiffs' motion at Dkt. No. 107 will be held in abeyance until that time. SO ORDERED.

Barbara Moses, U.S.M.J.  
April 13, 2020

**Re: Julian, et al. v. Metropolitan Life Insurance Co., No. 1:17-cv-00957-AJN-BCM**  
**Motion to Compel 30(b)(6) Designee on MetLife's ESI**

Dear Magistrate Judge Moses:

We write regarding Plaintiffs' request for a pre-motion conference to compel a 30(b)(6) designee on Defendant Metropolitan Life Insurance Company's ("MetLife") electronically stored information ("ESI"). Plaintiffs filed this request via letter motion on February 20, 2020, Dkt No. 107, and Defendant filed a response in opposition on February 25, 2020, Dkt. No. 110. On February 28, 2020, the Parties jointly informed the Court that they had agreed to further meet and confer on the issues raised in their letters in order to attempt to resolve their dispute without further need for court intervention. Dkt. No. 113. On March 5, 2020, on March 13, 2020, and on April 3, 2020, the Parties informed the court that they were continuing their efforts to resolve their dispute. Dkt. No. 116, 123 & 130.

As stated in the Parties' joint letter of April 3, 2020, Defendant's counsel conducted interviews with potential 30(b)(6) designees and drafted written descriptions of certain systems about which Plaintiffs seek testimony. On April 9, 2020, Defendant's counsel provided those written descriptions to Plaintiffs' counsel after relevant MetLife personnel reviewed the descriptions to ensure their accuracy. While the descriptions may mitigate the need for deposition testimony on some of the systems at issue, Plaintiffs are still considering whether deposition testimony remains necessary for certain other systems at issue. Plaintiffs will further evaluate the Defendant's written descriptions, and the Parties will continue their efforts to meet and confer.

Accordingly, the Parties jointly request that the Court continue to hold Plaintiffs' motion, Dkt. No. 107, in abeyance, and not set a date for a pre-motion conference until April 27, 2020. The Parties intend to inform the Court by April 24, 2020 as to whether they have resolved their dispute.

Hon. Barbara Moses

April 10, 2020

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Respectfully,

/s/ David H. Tracey

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